

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Kashmiri et al.

Application No. 10/570,220

Filed: February 28, 2006

Confirmation No. 8168

For: MINIMALLY IMMUNOGENIC
VARIANTS OF SDR-GRAFTED
HUMANIZED ANTIBODY CC49 AND
THEIR USE

FILED VIA EFS

Examiner: David J. Blanchard

Art Unit: 1643

Attorney Reference No. 4239-66649-03

FILED VIA ELECTRONIC FILING SYSTEM
UNITED STATES PATENT AND TRADEMARK OFFICE

DECLARATION UNDER 37 C.F.R. §1.132

1. Syed V.S. Kashmiri, Ph.D., Jeffrey Schlom, Ph.D., and Eduardo A. Padlan, Ph.D., are the inventors of the above-referenced U.S. Patent Application. Syed V.S. Kashmiri, Ph.D. is deceased.
2. Noreen R. Gonzales, Eduardo A. Padlan, Roberto De Pascalis, Peter Schuck, Jeffrey Schlom, and S.V.S. Kashmiri are listed as co-authors of the meeting abstract entitled "Reducing the potential immunogenicity of humanized CC49 by genetic manipulation of framework residues" (*Proceedings of the American Association for Cancer Research, Annual meeting, vol. 44, page 1118, 2003; hereinafter Gonzales et al.*), which was published in July 2003.
3. The studies described in Gonzales *et al.* that relate to the claimed invention were the joint contributions of the instant inventors, notwithstanding the inclusion of additional authors on the Gonzales *et al.* reference. The other named authors of Gonzales *et al.*, Noreen R. Gonzales, Roberto De Pascalis, and Peter Schuck were merely working under the direction of Syed V.S. Kashmiri, Ph.D., Jeffrey Schlom, Ph.D., and Eduardo A. Padlan, Ph.D. Noreen R.

Gonzales, Roberto De Pascalis, and Peter Schuck did not contribute to the claimed inventive matter.

5. We, the surviving inventors, hereby declare that all statements made herein are of our own knowledge are true and that all statements made on information and belief are believed to be true. Furthermore, these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under Section 1001 of the Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

1-13-09
Date

Jeffrey Schlom
Name Jeffrey Schlom, Ph.D.

Date

Name Eduardo A. Padlan, Ph.D.

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